

1 AN ACT in relation to energy conservation.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short Title. This Act may be cited as the  
5 Energy Efficient Building Act.

6 Section 5. Findings.

7 (a) The legislature finds that an effective energy  
8 efficient building code is essential to:

9 (1) reduce the air pollutant emissions from energy  
10 consumption that are affecting the health of residents of  
11 this State;

12 (2) moderate future peak electric power demand;

13 (3) assure the reliability of the electrical grid  
14 and an adequate supply of home heating oil and natural  
15 gas; and

16 (4) control energy costs for residents and  
17 businesses in this State.

18 (b) The legislature further finds that this State has a  
19 number of unique climate types, all of which require energy  
20 for both cooling and heating, and that there are many  
21 cost-effective measures that can reduce peak energy use and  
22 reduce cooling, heating, and other energy costs in buildings.

23 Section 10. Definitions.

24 "Board" means the Capital Development Board.

25 "Code" means the 2000 International Energy Conservation  
26 Code, the 2001 supplement to that Code, and the adaptations  
27 to the Code that are made by the Board.

28 "Municipality" means any city, village, or incorporated  
29 town.

1           Section 15. Energy Efficient Building Code. The Board  
2 shall adopt as Code requirements applying to construction of  
3 all new residential, commercial, and industrial buildings in  
4 the State, the 2000 International Energy Conservation Code  
5 and 2001 Supplement to the 2000 International Energy  
6 Conservation Code as adopted by the International Code  
7 Council. The Board may appropriately adapt the International  
8 Energy Conservation Code to apply to the particular economy,  
9 population distribution, geography, and climate of the State  
10 and construction therein, consistent with the public policy  
11 objectives of this Act.

12           Section 20. Exempt buildings.

13           (a) Except as otherwise provided by this Act, the Code  
14 shall apply to any building or structure in this State for  
15 which a building permit application is received by a  
16 municipality or county on or after January 1, 2003.

17           (b) The following buildings shall be exempt from the  
18 Energy Efficient Building Code:

19                 (1) Buildings otherwise exempt from the provisions  
20 of a locally adopted building code and buildings that do  
21 not contain a conditioned space.

22                 (2) Buildings that do not use either electricity or  
23 fossil fuel for comfort conditioning. For purposes of  
24 determining whether this exemption applies, a building  
25 will be presumed to be heated by electricity, even in the  
26 absence of equipment used for electric comfort heating,  
27 whenever the building is provided with electrical service  
28 in excess of 100 amps, unless the code enforcement  
29 official determines that this electrical service is  
30 necessary for purposes other than providing electric  
31 comfort heating.

32                 (3) Historic buildings. This exemption shall apply  
33 to those buildings that are listed on the National

1 Register of Historic Places or the Illinois Register of  
2 Historic Places, and to those buildings that have been  
3 designated as historically significant by a local  
4 governing body that is authorized to make such  
5 designations.

6 Section 25. Technical assistance.

7 (a) The Board shall make available to builders,  
8 designers, engineers, and architects implementation materials  
9 that explain the requirements of the Code and describe  
10 methods of compliance acceptable to Code Enforcement  
11 Officials.

12 (b) The materials shall include software tools,  
13 simplified prescriptive options, and other materials as  
14 appropriate. The simplified materials shall be designed for  
15 projects in which a design professional may not be involved.

16 (c) The Board shall provide local jurisdictions with  
17 technical assistance concerning implementation and  
18 enforcement of the Code.

19 Section 30. Enforcement. The Board shall determine  
20 procedures for builders to certify compliance with the Code.  
21 These procedures may include but need not be limited to  
22 certification by a national, State, or local accredited  
23 energy conservation program or inspections from private  
24 Code-certified inspectors using the Code.

25 Section 35. Rules. The Board may adopt any rules that  
26 are necessary for the furtherance of this Act.

27 Section 40. Home rule. The adoption of energy  
28 efficiency building standards is an exclusive power and  
29 function of the State. A home rule unit may not adopt energy  
30 efficiency building standards, and any building efficiency

1 standards in existence on the effective date of this Act are  
2 void. This Act is a denial and limitation of home rule  
3 powers and functions under subsection (h) of Section 6 of  
4 Article VII of the Illinois Constitution. This denial and  
5 limitation of home rule powers and functions does not apply  
6 to municipalities with populations exceeding 500,000 persons.

7 Section 90. The State Finance Act is amended by adding  
8 Section 5.570 as follows:

9 (30 ILCS 105/5.570 new)

10 Sec. 5.570. The Energy Efficient Building Fund.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.